

17449 JFW

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number: 35553.0000
In re Application of Robert E. Duthie, Jr.		
Application Number 09/903,825		Filed July 11, 2001
For Micro-Organism Reduction In Liquid By Use Of A Metal Halide Ultraviolet Lamp		
Group Art Unit 1744	Examiner E. L. McKane	



This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ \_\_\_\_\_  
☒ Two months (37 CFR 1.17(a)(2)) \$ 430  
☐ Three months (37 CFR 1.17(a)(3)) \$ \_\_\_\_\_  
☐ Four months (37 CFR 1.17(a)(4)) \$ \_\_\_\_\_  
☐ Five months (37 CFR 1.17(a)(5)) \$ \_\_\_\_\_

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 215

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-2442. I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): \_\_\_\_\_

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

November 23, 2004  
Date

Martin G. Linihan  
Signature

716-848-1367  
Telephone Number

Martin G. Linihan  
Typed or printed name

NOTE: Signature of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

### CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date November 23, 2004

Martin G. Linihan  
(Type or print name of person mailing paper)  
Martin G. Linihan  
(Signature of person mailing paper)

PTO/SP-17 (10-03) Approved for use through 07/31/2006, OMB 0651-0032

**FEE TRANSMITTAL**  
for FY 2004

Effective 10/01/2003. Patent Fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

Application Number	09/903,825
Filing Date	July 11, 2001
First Named Inventor	Robert E. Duthie, Jr.
Examiner Name	E. L. McKane
Group/Art Unit	1744
Attorney Docket Number	35553.0000

**TOTAL AMOUNT OF PAYMENT** (\$215)

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: 08-2442  
Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)


☐ Charge fee(s) indicated below

☒ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION (continued)**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
1251	110	2251	55	Extension for reply within first month	\$
1252	430	2252	215	Extension for reply within second month	\$215
1253	980	2253	490	Extension for reply within third month	\$
1254	1,530	2254	765	Extension for reply within fourth month	\$
1255	2,080	2255	1,040	Extension for reply within fifth month	\$
<b>SUBTOTAL (1)</b>		1401	300	Notice of Appeal	\$
<b>2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE</b>		1402	340	Filing a brief in support of an appeal	\$
Total Claims / / -20** = / / x / / =		1403	300	Request for oral hearing	\$
Independent Claims / / - 3** = / / x / / =		1451	1,510	Petition to institute a public use proceeding	\$
Multiple dependent / / x / / =		1452	110	Petition to revive - unavoidable	\$
<b>Large Entity Small Entity</b>		1453	1,370	Petition to revive - unintentional	\$
<b>Fee Fee Fee Fee</b>		1501	1,370	10 advance copies	\$
<b>Code (\$)</b>		2501	685	Utility issue fee (or reissue)	\$
1202	18	2202	9	Claims in excess of 20	\$
1201	88	2201	44	Independent claims in excess of 3	\$
1203	300	2203	150	Multiple dependent claim if not paid	\$
1204	88	2204	44	**Reissue independent claims over original patent	\$
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	\$
<b>SUBTOTAL (2)</b>		8021	40	Recording each patent assignment per property (times number of properties)	\$
<b>SUBMITTED BY:</b>		1809	790	Filing a submission after final rejection(37 CFR 1.129(a))	\$
Martin G. Linihan Reg. No. 24,926		1810	790	For each add'l invention to be examined(37 CFR1.129(b))	\$
<b>SIGNATURE</b> 		1801	790	Request For Continued Examination (RCE)	\$
DATE: November 23, 2004 Telephone: (716) 848-1367		1802	900	Request for Expedited Examination of a design application	\$
		Other fee (specify) _____			
		*Reduced by basic filing fee paid		<b>SUBTOTAL (3)</b>	\$215

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 23, 2004.

Martin G. Linihan  
Name  
BFLODOCS 1069395 v1

  
Signature

November 23, 2004  
Date of Signature